

UNITED STATES DISTRICT COURT

for the
District of Massachusetts

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

A Seagate Momentus 160GB hard drive,
bearing serial no. 5NK0ZXFS

)
)
) Case No.
)
)
)

13 - MJ - 2405 - MBB

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the _____ District of _____ Massachusetts
(identify the person or describe the property to be searched and give its location):

A Seagate Momentus 160GB hard drive, bearing serial no. 5NK0ZXFS fully described in Attachment A and incorporated herein

~~The person or property to be searched, described above, is believed to conceal~~ (identify the person or describe the property to be seized):

See Affidavit of Stephen J. Kelleher, incorporated by reference, and Attachment C.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before November 13, 2013
(not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10 p.m. ☒ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge Marianne B. Bowler

(name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ for _____ days (not to exceed 30).

☐ until, the facts justifying, the later specific date of _____.

Date and time issued: October 30, 2013
@ 1:15 P.M.

Marianne B. Bowler, U.S.M.J.

City and state: Boston, Massachusetts

Marianne B. Bowler, U.S. Magistrate Judge

Printed name and title

<i>Return</i>		
<i>Case No.:</i>	<i>Date and time warrant executed:</i>	<i>Copy of warrant and inventory left with:</i>
<i>Inventory made in the presence of :</i>		
<i>Inventory of the property taken and name of any person(s) seized:</i>		
<i>Certification</i>		
<p><i>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</i></p>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p><i>Date:</i> _____</p> </div> <div style="width: 35%; text-align: center;"> <p>_____</p> <p><i>Executing officer's signature</i></p> </div> <div style="width: 35%; text-align: center;"> <p>_____</p> <p><i>Printed name and title</i></p> </div> </div>		

ATTACHMENT A
ITEMS TO BE SEARCHED

<u>Description</u>	<u>Referred to herein as</u>
1. 22 floppy discs seized from Marshall Dion's office, located at 4 Longfellow Place, Suite 3802, Boston, Massachusetts on October 25, 2013	Target Storage Device
2. A red Nokia cellular telephone, bearing ESN 11416590728	Target Telephone; Photograph in Attachment A
3. A Centon 16GB USB flash drive seized from Marshall Dion's office, located at 4 Longfellow Place, Suite 3802, Boston, Massachusetts on October 25, 2013	Target Storage Device; Photograph in Attachment A
4. A Seagate Momentus 320GB hard drive, bearing serial no. 5VE43GWP	Target Storage Device; Photograph in Attachment A
5. A Seagate Momentus 160GB hard drive, bearing serial no. 5NK0ZXFS	Target Storage Device; Photograph in Attachment A
6. An Eagle 750GB external computer drive, bearing serial no. ABG10160170	Target Storage Device; Photograph in Attachment A
7. A Seagate hard drive, bearing serial no. JE105518	Target Storage Device; Photograph in Attachment A
8. A Maxtor 200GB hard drive, bearing serial no. B417C8TH	Target Storage Device; Photograph in Attachment A



ATA
P42T1438
7200RPM 160.0GB
FRU P/N 42T1439
ASM P/N 42T1438

CAUTION: Avoid excessive shock; do not push on top cover or remove any seal or label.
Date: 08/23
Site: WU
FW: 3.04E
ST-1 - L2D 8

ST9160823AS
PN: 9S5136-070
SN: SHK02KFS
DATE CODE: 06232008
WARRANTY VOID IF REMOVED
LENOVO P/N 42T1039

This product has been tested for compatibility in Lenovo and IBM systems. Refer to the Statement of Limited Warranty located in the user manual or system for further information.

1S42T1039212E4DK0270

Model: ST9160823AS
Capacity: 160GB
RPM: 7200
Cache: 8MB
Interface: SATA
Form Factor: 3.5"



ATTACHMENT C

ITEMS TO BE SEIZED

A. All records, in whatever form, and tangible objects that constitute evidence, fruits, and/or instrumentalities of drug distribution and money laundering, as set forth below:

1. Records of personal or business activities relating to the operation or ownership of any computer hardware, software, storage media, or data (such as user names, passwords, telephone records, notes, books, diaries, and reference materials).
2. Records pertaining to accounts held with companies providing Internet access or remote storage of either data or storage media.
3. Records relating to ownership, occupancy, or use of the premises searched (such as utility bills, phone bills, rent payments, mortgage payments, photographs, insurance documentation, receipts and check registers).
4. Records relating to drugs, drug proceeds, drug distribution, drug importation, money laundering, money transfers, ledgers, contact lists, price sheets, and related documents.
5. Records and information identifying contact information for co-conspirators, communications made in furtherance of the conspiracy, and photographs and videos of co-conspirators.

B. All computer hardware; computer software; computer-related documentation; and storage media. Off-site searching of such hardware, software, documentation, and storage media, shall be limited to searching for the items described in paragraph A of this attachment and shall be done according to the procedures set out in Attachment D.

10/25/2013 - Search Warrant: 4 Longfellow Place, Suite 3802, Boston

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Evidence Inventory List of Marshall Dion's Office

Item #	Location	Agent/Officer	Description
1	Room A	Kelleher	1 Fleet Bank checkbook; various manilla envelopes containing floppy discs, receipts, spreadsheets and hand-written notes.
2	Room A	Bulman	Assortment of keys and hand-written notes.
3	Room A	Kelleher	22 floppy discs.
4	Room A	Bulman	Financial documents; magazine clippings; letters and e-mails from Jeanette Leighton.
5	Room A	McDermott	Car rental and accident report documents.
6	Room A	McDermott	1 red Nokia cellular telephone (ESN: 11416590728) and charger; money bands.
7	Room A	McDermott	1 brown bag containing money bands, typed labels such as "ALMOST NEW (Dirty)" or "NEARLY NEW (Clean)".
8	Room A	McDermott	1 grey plastic bag containing 5 blue bank deposit bags and money bands.
9	Room A	Kelleher	1 contact list; documents from Sovereign Bank, Bank of America, AT&T and Town & Country Self Storage.
10	Room A	Bulman	1 Royal Sovereign cash counter.
11	Room A	Bulman	1 Scan Coin cash counter.
12	Room A	Tiberi	1 box with financial documents from Bank of America, Sovereign Bank and Citizens Bank.
13	Room A	Tiberi	1 red plastic box containing documents from Sovereign Bank, Bank of America, AT&T and Town & Country Self Storage.
14	Room A	Tiberi	1 Fluke infrared thermometer; money bands.
15	Room A	Bulman	Printout of Currency and Foreign Transactions Reporting Act; misc. documents and hand-written notes; roll of foil tape.
16	Room A	Tiberi	Misc. documents, hand-written notes and business cards.
17	Room A	Tiberi	1 red bag containing various keys; financial documents from Bank of America, Sovereign Bank and Citizens Bank.
18	Room A	Bulman	1 grey plastic box containing wide range of documents, notes, spreadsheets, contact lists and copies of hand-written ledgers.
19	Room A	McDermott	9 UPS shipping boxes with hand-written notes of "32-20's" in black marker.
20	Room A	Kelleher	Contact list; e-mails from Jeanette Leighton; Sovereign Bank deposit slips; hand-written and typed notes.
21	Room A	McDermott	Hand-written and copies of ledgers in manilla envelopes; contact lists and notes; misc. documents.
22	Room A	Tiberi	Documents for \$3,000 wire transfer to Jeanette Leighton; shipping labels to William Corbett in U.S.V.I.; misc. documents
23	Room A	Bulman	Documents and copies of checks of payment for storage unit in Plymouth Meeting, PA, for Warren Merrill.
24	Room A	McDermott	1 silver bowl from Tiffany & Co.
25	Room A	Bulman	8 .32 caliber bullets
26	Room A	Bulman	1 16GB USB flash drive

27	Room A	Kelleher	1 Seagate internal computer drive, S/N: 5VE43GWP, 1 Seagate internal computer drive, S/N: 5NK0ZXFS, from original "Lenovo laptop".
28	Room A	McDermott	6 Sovereign Bank checkbooks; 5 Bank of America checkbooks; 22 check register pamphlets; financial and misc. documents
29	Room A	McDermott	1 Eagle 750 GB external computer drive S/N: ABG10160170
30	Room A	McDermott	1 Seagate internal computer drive, S/N: JE105518, 1 Maxtor internal computer drive, S/N: B417C8TH, in UPS bag marked "BOS CPU Hard Drive".
31	Room A	McDermott	Assortment of keys.

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for the
District of Massachusetts

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)
A Seagate Momentus 320GB hard drive,
bearing serial no. 5VE43GWP

Case No. 13-MJ-2406-MBB

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

A Seagate Momentus 320GB hard drive, bearing serial no. 5VE43GWP
located in the _____ District of _____ Massachusetts, there is now concealed (identify the person or describe the property to be seized):
See Affidavit of Stephen J. Kelleher, incorporated by reference, and Attachment C.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 U.S.C. 846	conspiracy to possess with intent to distribute controlled substances and
18 U.S.C. 1956 & 1957	money laundering

The application is based on these facts:

See attached affidavit of Special Agent Stephen J. Kelleher, Federal Bureau of Investigation.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

SAJ/KLL SA/FBI
Applicant's signature

Stephen J. Kelleher, Special Agent, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: October 30, 2013

City and state: Boston, Massachusetts

Marianne B. Bowler, U.S.M.J.
Judge's signature

Marianne B. Bowler, U.S. Magistrate Judge
Printed name and title